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**OPERABLE UNIT 3 DISPUTE**

01-18-91

**DOE-626-91**  
**DOE-FMPC/USEPA**  
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**LETTER**



## Department of Energy

FMPC Site Office  
P.O. Box 398705  
Cincinnati, Ohio 45239-8705  
(513) 738-6319

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JAN 18 1991

DOE-626-91

Mr. William Muno, Associate Director  
Waste Management Division  
U.S. Environmental Protection Agency  
Region V, 5HR-13  
230 South Dearborn Street  
Chicago, Illinois 60604

Dear Mr. Muno:

### OPERABLE UNIT 3 DISPUTE

On January 4, 1991, the U.S. Department of Energy (DOE) initiated dispute resolution under Section XIV of the 1990 Consent Agreement with the U.S. Environmental Protection Agency (EPA). The DOE disputed EPA's disapproval of the Initial Screening of Alternatives (ISA) for Operable Unit 3, the accompanying Notice of Violation (NOV), and proposed stipulated penalty assessment. An informal dispute resolution meeting will be held on January 22, 1991 to discuss technical issues raised on the ISA.

Because DOE anticipates that all issues in dispute cannot be informally resolved, it is elevating this dispute to the Dispute Resolution Committee (DRC) under Section XIV of the 1990 Consent Agreement. Our letter of January 4, 1991, which sets forth DOE's positions, constitutes DOE's written statement of dispute. A copy of this letter is being provided to the DRC as required by Section XIV.D of the 1990 Consent Agreement.

Please call me at FTS 774-6319 if you have any questions.

Sincerely,

*Ray Hansen*  
Gerard W. Westerbeck  
FMPC Site Manager

Enclosure: As stated

cc w/o encl.:

C. A. McCord, USEPA-V, 5HR-12  
G. Ionannides, OEPA-Columbus  
G. E. Mitchell, OEPA-Dayton